

1 BRIAN M. DAUCHER, Cal. Bar No. 174212
ROBERT S. BEALL, Cal. Bar. No. 132016
2 JOSEPH H. TADROS, Cal. Bar. No. 239379
ASHLEY E. MERLO, Cal. Bar No. 247997
3 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP
A Limited Liability Partnership
4 Including Professional Corporations
650 Town Center Drive, 4th Floor
5 Costa Mesa, California 92626-1993
Telephone: (714) 513-5100
6 Facsimile: (714) 513-5130
bdaucher@sheppardmullin.com
7 jtadros@sheppardmullin.com

8 Attorneys for Defendants

9
10 UNITED STATES DISTRICT COURT
11 CENTRAL DISTRICT OF CALIFORNIA
12

13 TRAFFICSCHOOL.COM, INC., a
California corporation; DRIVERS ED
14 DIRECT, LLC., a California limited
liability company,

15 Plaintiffs,

16 v.

17 EDRIVER, INC., ONLINE GURU,
18 INC., FIND MY SPECIALIST, INC.,
and SERIOUSNET, INC., California
19 corporations; RAVI K. LAHOTI, an
individual; RAJ LAHOTI; an
20 individual; DOES 1 through 10,

21 Defendants.
22

Case No. CV 06-7561 PA (CWx)

The Hon. Percy Anderson

**DECLARATION OF RAJ LAHOTI
IN SUPPORT OF EX PARTE
APPLICATION FOR INTERIM
STAY OF INJUNCTION AND
MOTION TO STAY IN
INJUNCTION**

Hearing Information – Motion for Stay:

Date: October 20, 2008

Time: 1:30 p.m.

Crtrm.: 15

Complaint Filed November 28, 2006
Trial Commenced: November 6, 2007

1

2

3

7

10

15 |

18

23 ||

25 ||

28

1 4. As a result, since we have placed these additional disclaimers in June
2 2008, we have received nearly no emails that include personal information.

3 5. On August 29, 2008, the day after receiving a copy of the injunction,
4 we employed the splash page required by the Court and our initial data is showing
5 the immediate loss of hundreds of thousands of visitors to our site before ever seeing
6 our content.

7 6. Upon launching the splash page, we briefly eliminated some of the
8 proactive disclaimers we had put in place. Immediately, we started receiving
9 significantly more e-mails and we started to get more personal information within
10 those e-mails compared to when we used our own proactive measures. We
11 subsequently put back in place all of the proactive measures we had previously
12 implemented.

13 7. DMV.ORG's profits are derived from advertising on the website, and
14 with the significant cut in consumer traffic resulting from the incorporation of the
15 splash page, advertising revenue has declined greatly, forcing the company under
16 severe financial distress and will result in even greater impacts over time due to the
17 ongoing negative perceptions of the splash page on the DMV.ORG brand and
18 usability. In response, we have immediately cut advertising expenditures
19 significantly to try to maintain profitability, but this is still proving to be very
20 difficult. And, absent a prompt stay, we will mostly likely have to layoff a
21 significant number of our 19 employees.

22 I declare under penalty of perjury under the laws of the United States of
23 America that the foregoing is true and correct and that I executed this declaration on
24 September 10, 2008 in San Diego, California.

25
26 
27 RAJ LAHOTI
28